

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **TARGETING ANTIGENS TO THE MHC CLASS I PROCESSING PATHWAY WITH AN ANTHRAX TOXIN FUSION PROTEIN** the specification of which _ is attached hereto or X was filed on September 15, 1997 as Application No. 08/937,276 and was amended on _ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under 35 USC 119 | |
|---------|-----------------|----------------|--------------------------------------|----|
| | | | Yes | No |
| | | | Yes | No |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date |
|-----------------|-------------|
| 60/025,270 | 9/17/96 |
| | |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status | | |
|-----------------|----------------|----------|---------|-----------|
| | | Patented | Pending | Abandoned |
| | | Patented | Pending | Abandoned |
| | | Patented | Pending | Abandoned |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) of the Government of the United States of America as represented by the Secretary of the Department of Health and Human Services, Office of Technology Transfer, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Robert Benson, Reg. No. 33,612
Steven M. Ferguson, Reg. No. 38,448
James C. Haight, Reg. No. 25,588

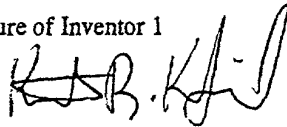
Gloria H. Richmond, Reg. No. 30,416
Susan S. Rucker, Reg. No. 35,762
David R. Sadowski, Reg. No. 32,808
Jack Spiegel, Reg. No. 34,477

Express Mail No.
EL 827035141 US

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Send Correspondence to Appointed Associate Attorney or Agent Address: Annette S. Parent TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834 | Direct Telephone Calls and Facsimiles to Appointed Associate Attorney or Agent: Name: Annette S. Parent Reg. No. P-42,058 Telephone: (415) 576-0200 Fax: (415) 576-0300 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|


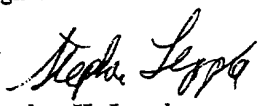
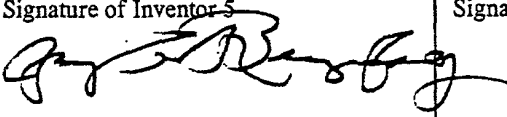
| | | | | |
|-------------------------|---------------------------------------------------------|--------------------------------------------|----------------------------------------|---------------------------|
| Full Name of Inventor 1 | Last Name KLIMPEL | First Name KURT | Middle Name or Initial | |
| Residence & Citizenship | City San Diego | State/Foreign Country California | Country of Citizenship USA | |
| Post Office Address | Post Office Address 12125 Fidelio Way | City San Diego | State/Country California | Zip Code 92131 |
| Full Name of Inventor 2 | Last Name GOLETZ | First Name THERESA | Middle Name or Initial J. | |
| Residence & Citizenship | City Kensington | State/Foreign Country Maryland | Country of Citizenship USA | |
| Post Office Address | Post Office Address 4503 Everett Street | City Kensington | State/Country Maryland | Zip Code 20895 |
| Full Name of Inventor 3 | Last Name ARORA | First Name NAVEEN | Middle Name or Initial | |
| Residence & Citizenship | City Delhi | State/Foreign Country India | Country of Citizenship INDIA | |
| Post Office Address | Post Office Address G110 Ashok Vihar, Phase I | City Delhi | State/Country India | Zip Code 110052 |
| Full Name of Inventor 4 | Last Name LEPPLA | First Name STEPHEN | Middle Name or Initial H. | |
| Residence & Citizenship | City Bethesda | State/Foreign Country Maryland | Country of Citizenship USA | |
| Post Office Address | Post Office Address 9501 Starmont Road | City Bethesda | State/Country Maryland | Zip Code 20817 |
| Full Name of Inventor 5 | Last Name BERZOFKY | First Name JAY | Middle Name or Initial A. | |
| Residence & Citizenship | City Bethesda | State/Foreign Country Maryland | Country of Citizenship USA | |
| Post Office Address | Post Office Address 9321 Corsica Drive | City Bethesda | State/Country Maryland | Zip Code 20814 |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, Section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|--------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------|
| Signature of Inventor 1  | Signature of Inventor 2 | Signature of Inventor 3 |
| Kurt Klimpel | Theresa J. Goletz | Naveen Arora |
| Date 4/14/98 | Date | Date |
| Signature of Inventor 4 | Signature of Inventor 5 | Signature of Inventor |
| Stephen H. Leppla | Jay A. Berzofsky | |
| Date | Date | Date |

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DECLASSIFIED

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| Signature of Inventor 1 Kurt Klimpel | Signature of Inventor 2  Theresa J. Goletz | Signature of Inventor 3 Naveen Arora |
| Date | Date 4/9/98 | Date |
| Signature of Inventor 4  Stephen H. Leppla | Signature of Inventor 5  Jay A. Berzofsky | Signature of Inventor |
| Date 8 Apr 98 | Date 4/9/98 | Date |

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DECLASSIFIED

| | | |
|-------------------------|-------------------------|------------------------------------------|
| Signature of Inventor 1 | Signature of Inventor 2 | Signature of Inventor 3 <i>Naveen</i> |
| Kurt Klimpel | Theresa J. Goletz | Naveen Arora |
| Date | Date | Date 13th April 1998 |
| Signature of Inventor 4 | Signature of Inventor 5 | Signature of Inventor |
| Stephen H. Leppla | Jay A. Berzofsky | |
| Date | Date | Date |

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DECLASSIFIED

SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that: My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **TARGETING ANTIGENS TO THE MHC CLASS I PROCESSING PATHWAY WITH AN ANTHRAX TOXIN FUSION PROTEIN** the specification of which _ is attached hereto or X was filed on September 15, 1997 as Application No. 08/937,276 and was amended on _ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

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| Country | Application No. | Date of Filing | Priority Claimed Under 35 USC 119 | |
|---------|-----------------|----------------|-----------------------------------|----|
| | | | Yes | No |
| | | | Yes | No |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date |
|-----------------|-------------|
| 60/025,270 | 9/17/96 |
| | |

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| Application No. | Date of Filing | Status | | |
|-----------------|----------------|----------|---------|-----------|
| | | Patented | Pending | Abandoned |
| | | | | |
| | | | | |
| | | | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) of the Government of the United States of America as represented by the Secretary of the Department of Health and Human Services, Office of Technology Transfer, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Robert Benson, Reg. No. 33,612
Steven M. Ferguson, Reg. No. 38,448
James C. Haight, Reg. No. 25,588

Gloria H. Richmond, Reg. No. 30,416
Susan S. Rucker, Reg. No. 35,762
David R. Sadowski, Reg. No. 32,808
Jack Spiegel, Reg. No. 34,477

Express Mail No.
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, Section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|-------------------------|-------------------------|---------------------------------------------|
| Signature of Inventor 1 | Signature of Inventor 2 | Signature of Inventor 3 <i>Naveen Arora</i> |
| Kurt Klimpel | Theresa J. Goletz | Naveen Arora |
| Date | Date | Date 31st MAY 1999. |
| Signature of Inventor 4 | Signature of Inventor 5 | Signature of Inventor |
| Stephen H. Leppia | Jay A. Berzofsky | |
| Date | Date | Date |

223285

PATENT

Attorney Docket No. 15280-290100
DHHS Ref. No. E-171-96/0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------|---|---------------------------------------|
| In re application of: |) | Examiner: Unassigned |
| Klimpel et al. |) | Art Unit: Unassigned |
| Serial No.: 08/937,276 |) | <u>APPOINTMENT OF ASSOCIATE</u> |
| Filed: September 15, 1997 |) | <u>ATTORNEYS AND AGENTS BY</u> |
| For: TARGETING ANTIGENS TO THE |) | <u>PRINCIPAL ATTORNEY OR AGENT</u> |
| MHC CLASS I PROCESSING |) | <u>UNDER 37 CFR §1.34(b) AND MPEP</u> |
| PATHWAY WITH AN ANTHRAX |) | <u>402.02</u> |
| TOXIN FUSION PROTEIN |) | |

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Under 37 CFR §1.34(b) and MPEP 402.02, the undersigned principal attorney or agent of record hereby appoints the following representatives from the law firm of TOWNSEND and TOWNSEND and CREW LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111-3834, telephone: (415) 576-0200, as associate attorneys and/or patent agents in this application with full powers to prosecute this case and to transact all business in the Patent and Trademark Office connected therewith:

Hector A. Alicea, Reg. No. 40,891
Randolph T. Apple, Reg. No. 36,429
Kevin L. Bastian, Reg. No. 34,774
Guy Chambers, Reg. No. 30,617
Karen B. Dow, Reg. No. 29,684
Gregory P. Einhorn, Reg. No. 38,440
Susan K. Faris, Reg. No. P-41,739
Renee A. Fitts, Reg. No. 35,136
Eugenia Garrett-Wackowski, Reg. No. 37,330
M. Henry Heines, Reg. No. 28,219
Laurence J. Hyman, Reg. No. 35,551
Tom Hunter, Reg. No. 38,498
Jeffrey J. King, Reg. No. 38,515

Joe Liebeschuetz, Reg. No. 37,505
Jeffrey S. Mann, Reg. No. P-42,837
Lorie Ann Morgan, Reg. No. 38,181
Annette S. Parent, Reg. No. P-42,058
Steven W. Parmelee, Reg. No. 31,990
Brian W. Poor, Reg. No. 32,928
Margaret A. Powers, Reg. No. 39,804
Jonathan Alan Quine, Reg. No. 41,261
Timothy L. Smith, Reg. No. 35,367
William M. Smith, Reg. No. 30,223
Joseph P. Snyder, Reg. No. 39,381
John R. Storella, Reg. No. 32,944
P. Ben Wang, Reg. No. 41,420
Ellen Lauver Weber, Reg. No. 32,762
Kenneth A. Weber, Reg. No. 31,667

Dated: 4/20/98

Respectfully submitted,

United States Department of Health and Human Services

By Susan S. Rucker
James C. Haight
Reg. No. 25,588
Office of Technology Transfer
National Institutes of Health
6011 Executive Boulevard, Suite 325
Rockville, Maryland 20852
Telephone: (301) 496-7056

Express Mail No.
EL 827035141 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------|---|---------------------------------------|
| In re application of: |) | Examiner: Unassigned |
| |) | |
| Klimpel et al. |) | |
| |) | Art Unit: 1644 |
| Serial No.: 08/947,276 |) | |
| |) | <u>APPOINTMENT OF ASSOCIATE</u> |
| Filed: September 15, 1997 |) | <u>ATTORNEYS AND AGENTS BY</u> |
| |) | <u>PRINCIPAL ATTORNEY OR AGENT</u> |
| For: TARGETING ANTIGENS TO THE |) | <u>UNDER 37 CFR §1.34(b) AND MPEP</u> |
| MHC CLASS I PROCESSING |) | <u>402.02</u> |
| PATHWAY WITH AN ANTHRAX |) | |
| TOXIN FUSION PROTEIN |) | |

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Under 37 CFR §1.34(b) and MPEP 402.02, the undersigned principal attorney or agent of record hereby appoints the following representatives from the law firm of TOWNSEND and TOWNSEND and CREW LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111-3834, telephone: (415) 576-0200, as associate attorneys and/or patent agents in this application with full powers to prosecute this case and to transact all business in the Patent and Trademark Office connected therewith:

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Joe Liebeschuetz, Reg. No. 37,505
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Timothy L. Smith, Reg. No. 35,367
William M. Smith, Reg. No. 30,223
Joseph P. Snyder, Reg. No. 39,381
John R. Storella, Reg. No. 32,944
Eugenia Garrett-Wackowski, Reg. No. 37,330
Ellen Lauver Weber, Reg. No. 32,762
Kenneth A. Weber, Reg. No. 31,667
P. Ben Wang, Reg. No. 41,420

Dated: Aug. 31, 1998

Respectfully submitted,

United States Department of Health
and Human Services

By Robert Benson

Reg. No.: 33,612
Office of Technology Transfer
National Institutes of Health
6011 Executive Boulevard, Suite 325
Rockville, Maryland 20852
Telephone: (301) 496-7056

ASSIGNMENT

JOINT

WHEREAS, We, Kurt Klimpel of 12125 Fidelio Way, San Diego, California 92131, citizen of USA, Theresa J. Goletz of 4503 Everett Street, Kensington, Maryland 20895, citizen of USA, Naveen Arora of G110 Ashok Vihar, Phas I, Delhi India 110052, citizen of INDIA, Stephen H. Leppla of 9501 Starmont Road, Bethesda, Maryland 20817, citizen of USA and Jay A. Berzofsky of 9321 Corsica Drive, Bethesda, Maryland 20814, citizen of USA employees of the Department of Health and Human Services at the time the invention was made, have invented (title of invention): **TARGETING ANTIGENS TO THE MHC CLASS I PROCESSING PATHWAY WITH AN ANTHRAX TOXIN FUSION PROTEIN**, for which an application to the Assistant Commissioner for Patents for grant of Letters Patents of the United States of America has been executed by the undersigned

_ ON (date(s) Declaration signed):

X is identified as U.S. Patent Application:
Serial No. 08/937,276

Filed September 15, 1997; and

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States of America is desirous of acquiring all domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid application for Letters Patent of the United States of America; and

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the premises and other valuable considerations, we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his

successors, the full and exclusive right, title, and interest throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file the invention described in the aforesaid application for Letters Patent of the United States of America, and all Letters Patents and Registrations which may be granted on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

AND, we hereby authorize and request the Assistant Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest in and to the same throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file, for the sole use for the full term or terms for which said Letters Patent and Registrations may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof which may be granted as fully and entirely as the same would have been held by us, had this assignment not been made;

AND, we hereby warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied with respect to the aforesaid application for Letters Patent which will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of this instrument by us;

AND, we hereby agree to execute any and all applications for Letters Patent in the United States of America and foreign countries, and to furnish and deliver to the Secretary, Department of Health and Human Services, upon request, all data and documents, and to execute any papers which may be necessary for the prosecution of any application or applications of Letters Patent or for THE GOVERNMENT to exercise its rights granted hereunder, including communicating to THE GOVERNMENT, its representatives or agents, any facts relating to said invention, including evidence for interference purposes, or for other proceedings, whenever requested, to testify in any interference or other proceedings, whenever requested, and to execute and deliver on request all lawful papers required to make

any of the foregoing provisions effective, and likewise make these provisions binding upon our heirs, legal representatives, administrators and assigns, and we shall assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

The undersigned hereby grants THE GOVERNMENT or the law firm of Townsend and Townsend and Crew LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Kurt Klimpel
Kurt Klimpel

4/14/98
Date

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)

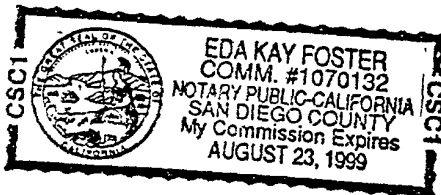
UNITED STATES OF AMERICA

On April 14, 1998, before me, EDA KAY FOSTER (here insert name and title of the officer), personally appeared **Kurt Klimpel** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Eda Kay Foster
4/14/98

(Seal)



Theresa J. Goletz
Theresa J. Goletz

4-9-98
Date

STATE OF Maryland)
COUNTY OF Montgomery)
UNITED STATES OF AMERICA

On 4/9/98, before me, Theresa J. Goletz (here insert name and title of the officer), personally appeared Theresa J. Goletz personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Margaret L. Tomczak

(Seal)

MY COMMISSION EXPIRES
MARCH 1, 1999
MARGARET L. TOMCZAK
NOTARY PUBLIC

Naveen

Naveen Arora

13th April 1998

Date

STATE OF DELHI)

COUNTY OF INDIA)

UNITED STATES OF AMERICA

On 13th April 1998, before me, Yogendra Singh (here insert name and title of the officer), personally appeared Naveen Arora personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature

Yogendra Singh

(Seal)

Dr. Yogendra Singh
Scientist
Centre For Biochem. Technology
Mall Road, Delhi-7

13th April, 1998

Stephen H. Leppla
Stephen H. Leppla

8 Apr 98
Date

STATE OF Maryland)

COUNTY OF Montgomery)

UNITED STATES OF AMERICA

On 4/8/98, before me, Chiquita O'Brien, Notary Public (here insert name and title of the officer), personally appeared Stephen H. Leppla personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Chiquita O'Brien

(Seal)

Jay A. Berzofsky 4/9/98
Jay A. Berzofsky Date

STATE OF Maryland)
COUNTY OF Montgomery)
UNITED STATES OF AMERICA

On 4/9/98, before me, Jay A. Berzofsky (here insert name and title of the officer), personally appeared Jay A. Berzofsky personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Margaret L. Tomczak

(Seal)

MY COMMISSION EXPIRES
MARCH 1, 1999
MARGARET L. TOMCZAK
NOTARY PUBLIC